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Gazette.

TWO DOLLARS AND A HALF

NEW SERIES, NO. 47. VOL. 3.

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TERMS.

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LEXINGTON BREWERY.

THE Subscribers having re-commenced BREWING, offer to their customers BEER and PALE ALE as heretofore.

MONTMOLIN & DONOHOO.

Lexington, October 27, 1826—43 m.

EDUCATION.

THE subscriber has opened a SCHOOL on Main Cross-street, in a large Brick house, near the Market-house, where he purposed teaching the following branches viz.—Spelling, Reading, Writing, Arithmetic, English Grammar, Geography, History and Book-keeping—all of which will be taught on the most reasonable terms.

WILLIAM HAMILTON.

Lexington Nov. 3d 1826—44c

JOHN M. HEWITT, TRUSS MAKER.

(SHORT ST. NEAR THE WASHINGTON HOTEL.)

I now manufacture and keeps constantly on hand TRUSSES for all kinds of ruptures, viz:

The common Steel, with or without the racket wheel, The newly invented and much approved double-headed Steel,

The Morocco Nonelastic Band with spring pad, and

Trusses for children of all ages.

Gentlemen's best Morocco, Hucksin, Calfskin, and

Russia Drilling Riding Girdles, with and without

springs, and with private pockets,

Ladies', Gentlemen's, and Misses Back Stays, to re-

lieve pains in the breast.

Double and single Morocco Suspenders with rollers

Female Bandages, &c. &c.

All of which will be sold by wholesale or retail.

The Tailoring Business,

In its various branches, continued as usual.

Lexington, May 5, 1825.—18-1f

HUGH FOSTER,

MERCHANT TAILOR,

Has just received from Philadelphia a splendid

assortment of

CLOTHS, CASSIMERES,

SUITABLE TRIMMINGS AND

VESTINGS,

all of which were purchased low for cash in hand by himself, and will be sold at a moderate advance. He

has also made a permanent arrangement by which he

will be furnished with the NEWEST FASHIONS by

one of the best shops in Philadelphia. Gentlemen

are invited to call and examine for themselves.

Sept. 22, 1826—38-ff.

ISAAC F. HEATON, TAILOR,

RESPECTFULLY informs the citizens of Lexing-

ton and vicinity, that he has removed to a room

adjoining the Gazette Office, where he can accommo-

date his customers in the latest and neatest fashions.

He wants one or two Boys as apprentices—he also

wants to employ 1 or 2 JOURNEYMAN TAILORS,

who are first rate workmen, and no other need apply.

Lexington, October 13—41

TO RENT,

A VERY comfortable Dwelling House,

&c. situated on Short-street. Forterns

etc. enquire at the Office of Charles Humphreys,

Esq. of

ALEX. M. DUNN.

November 10.—45f

FRESH MEDICINES.

JOHN NORTON,

AS just received from the east-

ward, an Invoice of fresh

Drugs and Medicines which he off-

fers for sale.

Wholesale and Retail;

together with a general assortment of Paints, Dye Staffs, Patent Medi-

cines, all of superior quality. Also

Shim's Panacea, Perfumery, Surgical Instru-

ments, Medicine Chests, and Apothecary's Ware

of all sizes, at his Drug and Chymical Store, cor-

ner of Main and Upper streets, south of the Court

House.

BUTLER'S

Vegetable Indian Specific

FOR the Cure of Colds, Coughs, Consumptions,

Spitting of Blood, Asthma's, Sore disorders of the

Breast and Lungs, the above Medicines are recom-

mended by many Certificates price \$1—each.

Sold by JOHN NORTON, Druggist.

N. B. Country Physicians and Apothecary ser-

vers, supplied at the shortest notice on the most

reasonable terms.

SWAIM'S PANACEA \$2 50 per bottle.

Lexington, March 1st 1826—9-1f

MEDICAL NOTICE.

DOCTOR PEST respectfully

tenders his professional services,

in the various branches of the

profession, to the citizens of Lex-

ington and Fayette county. His

office and residence are in Main

street betwixt the Grand Masonic

Hall and St John's Chapel.

N. B. A few Medical students can be accommo-

dated with board and lodgings.

April 6, 1826—14-1f.

New Auction and Commission House.

THE Subscriber respectfully informs the inhabitants

of Lexington, and its vicinity, that he has taken

the House on Main-street, next door to Mr Samuel

Washington's Grocery Store, and immediately opposite

the Exchange Office of Mr Lovell A. Sayre, where he

intends transacting a GENERAL AUCTION AND

COMMISSION BUSINESS.

From his long experience in that line, and by a strict

personal attention to its duties, he hopes to merit a

share of public patronage.

His regular auction day will be on Mondays, Wed-

nesdays and Fridays. He will also sell GOOLDS at his

warehouse, on days when he has no auction.

J. LYON, Auctioneer.

Lexington, June 12, 1826—26

True to his charge—he comes, the Herald of a noisy world; News from all nations, lumbering at his back."

LEXINGTON. (KY.) FRIDAY EVENING. NOVEMBER 24, 1826.

[PER ANNUM, SPECIE, IN ADVANCE.

WHOLE VOLUME, XL.

THE AMERICAN.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

WHEREAS a General Convention of Peace, Amity, Commerce, and Navigation, between the UNITED STATES of AMERICA, and the FEDERATION OR THE CENTRE OF AMERICA, was concluded and signed at Washington, on the fifth day of December, in the year of our Lord one thousand eight hundred and twenty-five; which Convention, being in the English and Spanish languages, is, word for word, as follows:

ORIGINAL.

General Convención de Paz, Amistad, Comercio, y Navegación, entre las United States of America y la Federación o Confederación de Centro América i los Estados Unidos de América.

The United States of America, and the Federation of Centro America, desirando hacer fructo permanente la paz i amistad que felicemente existe entre ambas Potencias, han resuelto fijar de una manera clara, distinta y positiva, las reglas, que deben observar religiosamente en lo vencido, por medio de un Tratado o Convención General de Paz Amistad, Comercio y Navegación.

Con este muy deseable objeto, el Poder Ejecutivo de la Federación de Centro America, ha conferido plenos poderes a Antonio José CANAS, diputado de la Asamblea Nacional Constituyente por la Provincia de San Salvador, i Envío Extraordinario i Ministro Plenipotenciario de la aquella República, cerca de los Estados Unidos y el Presidente de los Estados Unidos de América a Henrico CLAY, su Secretario de Estado, quienes después de haber canjeado sus expresadas plenos poderes en debida forma, han convenido en los artículos siguientes:

ARTICLE 1st.

There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Federation of the Centre of America, in all the extent of their possessions and territories, and between their People and Citizens, respectively, without distinction of persons or places.

ARTICLE 2d.

The United States of America, and the Federation of the Centre of America, desirando vivir en paz y armonía con las demás Naciones de la tierra, por medio de una política franca, e igualmente friendly with all, engage mutually not to grant any particular favor to either nation, in respect of commerce and navigation, which no se hagan comúnmente, become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

ARTICLE 3d.

The two high contracting parties, being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the citizens of each may frequent all the coasts and countries of the other, and reside and trade there, in all kinds of produce, manufactures and merchandise, and they shall enjoy all the rights, privileges, and exemptions, in navigation and commerce, which native citizens do or shall enjoy, submitting themselves to the laws, decrees, and usages, there established, to which native citizens are subjected. But it is understood that this article does not include the coasting trade of either country, the regulation of which is reserved by the parties, respectively, according to their own separate laws.

ARTICLE 4th.

They likewise agree, that whatever kind of produce, manufacture, or merchandise, of any foreign country, can be, from time to time, lawfully imported into the United States, in their own vessels, may be also imported in vessels of the Federation of the Centre of America; and that no higher other duties, upon the tonnage of the vessels, or her cargo, shall be levied and collected, whether the importation be made in vessels of the one country, or of the other. And in like manner, that whatever kind of produce, manufactures, or merchandise, of any foreign country, can be, from time to time, lawfully imported into the Central Republic, in its own vessels, may be also imported in vessels of the United States, or of the other.

They further agree, that whatever may be lawfully exported, or re-exported, from the one country, in its own vessels, to any foreign country, may in like manner, be exported, or re-exported, in the vessels of the other country. And the same bounties, duties, and drawbacks, shall be allowed and collected, whether such exportation, or re-exportation, be made in vessels of the United States, or of the Central Republic.

ARTICLE 5th.

No higher other duties shall be imposed on the importation into the United States of any articles, the produce or manufactures of the Federation of the Centre of America, and no higher or other duties shall be imposed on the importation into the Federation of the Centre of America, of any articles, the produce or manufactures of the United States, than are, or shall be, payable on the like articles, being the produce or manufactures of any other foreign country; nor shall any higher, or other duties, or charges, be imposed in either of the two countries, on the exportation of any articles, to the United States, or to the Federation of the Centre of America, respectively, than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportation or importation of any articles, the produce or manufactures of the United States, or of the Federation of the Centre of America, to or from the Territories of the United States, or to or from the Territories of the Federation of the Centre of America, which shall not equally extend to all other Nations.

ARTICLE 6th.

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens, of both countries, to manage, themselves, their own business, in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading, and sending off, their ships; they being, in all these cases, to be treated as citizens of the country in which they reside, or at least to be placed on a footing with the subjects or citizens of the most favored nation.

ARTICLE 7th.

It is likewise agreed that it shall be wholly free

for all merchants, commanders of ships, and other

citizens, of both countries, to enter into the

service of the respective governments, and to be

employed in the service of either of the two

countries, as far as the laws, regulations, and

usages of either of the two countries, shall permit.

in that case the goods and merchandise of the neutral, embarked in such enemy's ships, shall be free.

ARTICLE 16th.

This liberty of navigation and commerce shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband, and under this name of contraband, or prohibited goods, shall be comprehended—

1st. Cannon, mortars, howitzers, swivels, blunderbusses, muskets, fuzes, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, and grenades, bombs, powder, matches, balls and all other things belonging to the use of these arms;

2dly. Bucklers, helmets, breast plates, coats of mail, infantry belts and clothes, made up in the form and for a military use;

3dly. Cavalry belts and horses, with their furniture;

4thly. And generally all kinds of arms and instruments of iron, steel, brass, and copper, or of any other materials manufactured, prepared, and formed, expressly to make war by sea or land.

ARTICLE 17th.

All other merchandise and things not comprehended in the articles of contraband explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded; and, to avoid all doubt in are besieged, it is declared that those places only attacked by a belligerent, which are actually preventing the entry of the neutral.

ARTICLE 18th.

The articles of contraband, before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the two nations shall be detained on the high seas on account of having on board articles of contraband, whenever the master, captain, or supercargo of sail vessels will deliver up the article of contraband to the captor, unless the quantity of such articles be so great and of so large a bulk that they cannot be received on board the capturing ship without great inconvenience; but, in this and in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port for trial and judgment, according to law.

ARTICLE 19th.

And whereas it frequently happens that vessels sail for a port or place belonging to an enemy, without knowing that the same is besieged, blockaded, or invested, it is agreed, that every vessel so circumstanced may be turned away from such port or place but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment from the commanding officer of the blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel of either, that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place, with her cargo, nor, if found therein, after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

ARTICLE 20th.

In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they have agreed, mutually, that whenever a vessel of war, public or private, shall meet with a neutral of the other contracting party, the first shall remain out of cannon shot, and may send its boat, with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill treatment, for which the commanders of the said armed ships shall be responsible with their persons and property; which purpose the commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit. And, it is expressly agreed, that the neutral party shall in no case be required to go on board the examining vessel, for the purpose of exhibiting her papers, or for any other purpose whatever.

ARTICLE 21st.

To avoid all kind of vexation and abuse in the examination of the papers relating to the ownership of the vessels belonging to the citizens of the two contracting parties, they have agreed, and do agree, that in case one of them should be engaged in war, the ships and vessels belonging to the citizens of the other must be furnished with sea-leasers, or passports, expressing the name, property, and value of the ship, and also the name and place of habitation of the master or commander of said vessel, in order that it may thereby appear that the ship really and truly belongs to the citizens of one of the parties; they have likewise agreed, that such ships, being laden, besides the said sea-leasers or passports, shall also be provided with certificates, containing the several particulars of the cargo, and the place whence the ship sailed, so that it may be known whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship sailed, in the accustomed form; without which requisites, said vessel may be detained to be adjudged by the competent tribunal, and may be declared legal prize, unless the said defects shall be satisfied or supplied by testimony entirely equivalent.

ARTICLE 22d.

It is further agreed, that the stipulations above expressed, relative to the visiting and examination of vessels, shall apply only to those which sail without convoy; and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection belong to the nation whose flag he carries—and when they are bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

ARTICLE 23d.

It is further agreed, that in all cases the established courts, for prize causes, in the country to which the prizes may be conducted, shall alone take cognisance of them. And whenever such trial of either party shall pronounce judgment against any vessel or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention, the reasons or motives on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel, without any delay, paying the legal fees for the same.

ARTICLE 24th.

Whenever one of the contracting parties shall be engaged in war with another State, no citizen of the other contracting party shall accept a commission, or letter of marque, for the purpose of assisting or co-operating hostilely, with the said enemy, against the said party so at war, under the pain of being treated as a pirate.

en los ciudadanos de una y otra parte no podrán cargar que la ignoran. Por el contrario, si la bandera neutral, no protegieren las propiedades enemigas, entonces serán fueros los efectos y mercaderías de la parte neutral, embarcadas en buques enemigos.

ART. 16.

Esta libertad de navegación y comercio se extenderá a todo género de mercaderías, exceptuando aquellas solamente, que se distinguen con el nombre de contrabando, y bajo este nombre de contrabando y efectos prohibidos se comprenderán:

1. Cañones, morteros, obuses, piezas, pistolas, mosquetes, fusiles, rifles, carbines, pistolas, espadas, sabres, lanzas, clavos, alabardas, y granadas, bombas, pólvora, mechas, balas, y demás cosas correspondientes al uso de estas armas;

2. Escudos, casquillos, corazas, cotas de malla, fornitorias, y vestidos hechos en forma, y a usanza militar.

3. Bandoleras, y caballos junto con sus armas y armas.

4. Y generalmente todo especie de armas, e instrumentos de hierro, acero, bronce, cobre, y otras materias cualesquier, manufacturadas, preparadas, y fornidas expresamente para hacer la guerra por mar, o tierra.

ART. 17.

Todas las demás mercaderías, y efectos no comprendidos en los artículos de contrabando específicamente enumerados, y clasificados en el artículo anterior, serán tenidos, y reputados, por libres, y de licito y libre comercio, de modo, que ellos puedan ser transportados, y llevados de la manera más libre, por los ciudadanos de ambas partes contratantes, aun los lugares pertenecientes a un enemigo o a una u otra, exceptuando solamente aquellos lugares o plazas, que estén al mismo tiempo sitiadas o sitiadas en el interior, en el exterior, en el particular, se declaran sitiadas o bloqueadas aquellas plazas, que en la actualidad estuviesen sitiadas, por una fuerza de un belligerante capaz de impedir la entrada del neutral.

ART. 18.

Los artículos de contrabando antes enumerados y clasificados, que se halleen en un buque destinado a un puerto enemigo estarán sujetos a detención y confiscación; dejando libre el resto del cargamento y el buque, para que los dueños puedan disponer de los como lo crean conveniente. Ningún buque de cualquiera de las dos Naciones, sera detenido, por tener a bordo artículos de contrabando, siempre que el Maestro, Capitán, o Subcargado de dicho buque quiera entregar los artículos de contrabando al apresador, sin embargo que la cantidad de estos artículos sea tan grande y de tanto volumen, que no puedan ser recibidos a bordo del buque apresador, sin grandes inconvenientes; pero en este, como en todos los otros casos de justa detención, el buque detenido sera enviado al puerto mas inmediato, donde y seguro, para ser juzgado y sentenciado conforme a las leyes.

ART. 19.

Y por quanto frecuentemente sucede que los buques navegan para un puerto o lugar perteneciente a un enemigo, sin saber que aquél este sitiado, bloqueado o investido, se conviene en que todo buque en estas circunstancias se pueda hacer volver de dicho puerto, o lugar, antes que estuviese sitiado, bloqueado, o investido por la otra, sera impedido de dejar el tal lugar con su cargamento, ni si fuere llevado allí después de la rendición y entrega de semejante lugar, estará el tal buque o su cargamento sujeto a confiscación, sino que serán restituídos a sus dueños.

ART. 20.

Para evitar todo género de desorden en la visita y examen de los buques y cargamentos, de ambas partes contratantes en alta mar, han convenido mutuamente, que siempre que un buque de guerra, público o particular se encontrase con un neutral de la otra parte contraria, el primero permanecerá fuera de tiro de cañón, y podrá mandar su botel con dos o tres hombres solamente, para ejercer el dicho examen de los papeles concernientes a la propiedad y carga del buque, sin ocasionar la menor estorbo, violencia o mal tratamiento, por lo que los comandantes del dicho buque armado serán responsables, con sus personas y bienes; o cuya efecto a los comandantes de buques armados, por cuenta de particulares, estarán obligados antes de entregarse les sus comisiones o patentes, a dar fianza suficiente para responder de los prejuicios que causen. Y se ha convenido expresamente, que en ningún caso se exigirá a la parte neutral, que vaya a bordo del buque examinador con el fin de exhibir sus papeles, o para cualquiera otro objeto sea el que fuere.

ART. 21.

Para evitar toda clase de vexamen y abuso en el examen de los papeles relativos a la propiedad de los buques pertenecientes a los ciudadanos de las dos partes contratantes, han convenido y convienen, que en caso de que una de ellas estuviera en guerra, los buques, y bajeones pertenecientes a los ciudadanos de la otra, serán provistos con letras de mar, o pasaportes, expresando el nombre, propiedad y fama del buque, como también el nombre y lugar de la residencia del Maestro, o comandante, perteneciente a los ciudadanos de una de las partes; y han convenido igualmente, que estando cargados los expresados buques, además de las letras de mar, estarán también provistos de certificados, que contengan los menores del cargamento, y el lugar donde salió el buque, para que así pueda saberse, si hay a su bordo algunos efectos prohibidos o de contrabando, cuyos certificados serán hechos por los oficiales del lugar de la procedencia del buque, en la forma acostumbrada, sin cuyos requisitos el dicho buque puede ser detenido, para ser juzgado en suerte presa, a menos que satisfagan, o suplan el defecto con testimonios enteramente equivalentes.

ART. 22.

Sé ha convenido además, que las estipulaciones anteriores, relativas al examen y visita de buques, se aplicarán solamente a los que navegan sin convoy y que cuando los dichos buques estuvieran bajo de convoy, sera bastante la declaración verbal del Comandante del convoy, bajo su palabra de honor, de que los buques que están bajo su protección pertenecen a la nación, cuya bandera llevan, y cuando se dirigen a un puerto enemigo, que los dichos buques no tienen a su bordo artículos de contrabando de guerra.

ART. 23.

Se ha convenido además, que en todos los casos que ocurrían, solo los Tribunales establecidos para causas de presas, en el país a que las presas sean condicidas, tomaran conocimiento de ellas. Y siempre que semejante Tribunal de cualquiera de las partes, pronunciase sentencia contra alguno que, o efectos, o propiedad reclamada por los ciudadanos de la otra parte, la sentencia o decreto la remisión de las razones o motivos en que aquella se haya fundado, y se entregue sin demora alguna al comandante o agente de dicho buque, si lo solicite, un testimonio auténtico de la sentencia, o decreto, o de todo el proceso, pagando por los derechos legales.

ART. 24.

Siempre que una de las partes contratantes estuviere en guerra, con otro Estado ninguno, ciudadano de la otra parte, contraria para el objeto de apoderarse o co-operar hostilmente con el dicho enemigo contra dicha parte que este así en guerra, bajo la pena de ser tratado como pirata.

ART. 25.

Si por alguna fatalidad, que no puede esperarse, y que Dios no permita, las dos partes contratantes se vieran enemigas en guerra una con otra, tan convenga y conviene de ahora para adelante, que se concederá el término de seis meses a los comerciantes residentes en las costas y en los puertos de enemigas, y exterior de un año a los que habiten en el interior, para arreglar sus negocios, y transportar sus efectos wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens of all other occupations, who may be established in the territories of dominions of the United States and of the Federation of the Centre of America, and of the Estados Unidos de América, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which Hegira al puer to que designen. Los Ciudadanos de otras naciones, que se hallen establecidos en los territorios o dominios de la Federación de Centro América, y de los Estados Unidos de América, serán respetados, y mantenidos en el pleno goce de su libertad personal y propiedad, a menos que su conducta particulares les haga perder esta protección, que en consideración de inmortal, las partes contratantes se comprometen a prestarles.

ART. 26.

Si por alguna fatalidad, que no puede esperarse, y que Dios no permita, las dos partes contratantes se vieran enemigas en guerra una con otra, tan convenga y conviene de ahora para adelante, que se concederá el término de seis meses a los comerciantes residentes en las costas y en los puertos de enemigas, y exterior de un año a los que habiten en el interior, para arreglar sus negocios, y transportar sus efectos a donde quieran, dando el suficiente conducto necesario para ello, que les sirva de suficiente protección hasta que Hegira al puer to que designen. Los Ciudadanos de otras naciones, que se hallen establecidos en los territorios o dominios de la Federación de Centro América, y de los Estados Unidos de América, serán respetados, y mantenidos en el pleno goce de su libertad personal y propiedad, a menos que su conducta particulares les haga perder esta protección, que en consideración de inmortal, las partes contratantes se comprometen a prestarles.

ART. 27.

Both the contracting parties being desirous of avoiding all inequality in relation to their public communications, and official intercourse, have agreed and do agree, to grant to the Envys, Ministers and other Public Agents, the same favors, immunities and exemptions, which those of the most favored nations do or shall enjoy; it being understood that whatever favors immunities or privileges the United States of America, or the Federation of the Centre of America, may find it proper to give to the Minsters and Public Agents of any other power, shall, by the same act, be extended to those of each of the contracting parties.

ART. 28.

Para hacer más efectiva la protección que la Federación de Centro América, y los Estados Unidos de América, darán en adelante a la navegación y comercio de los ciudadanos de una y otra, se convienen en recibir y admitir Consuls, y Vice Consuls en todos los puertos abiertos al comercio extranjero, quienes gozarán en los mismos los derechos, prerrogativas e inmunidades de los Consuls, y Vice Consuls de la nación mas favorecida, que dando no obstante en libertad cada parte contratante, para exceptuar aquellos puertos y lugares en que la admisión y residencia de semejantes Consuls, y Vice Consuls no parezca conveniente.

ART. 29.

Para que los Consuls y Vice Consuls de las dos partes contratantes, puedan gozar los derechos, prerrogativas e inmunidades, que les corresponden por su carácter público, antes de entrar en el ejercicio de sus funciones, presentarán su comisión o patente en la forma debida, al Gobierno con quien estén acreditados, y habiendo obtenido el exequatur, serán tenidos, y considerados como tales, por todas las autoridades, magistrados y habitantes del distrito a Consular en que residan.

ART. 30.

Se ha convenido igualmente, que los Consuls, sus Secretarios, oficiales y persona agregadas al servicio de los consulados (no siendo estas personas ciudadanos del país que el Consul reside) estaran exentos de todo servicio público, y también de todo tipo de peajes, impuestos, y contribuciones, exceptuando aquellas que estén obligados a pagar por razón de comercio, o propiedad, y a las cuales estan sujetos los Ciudadanos y habitantes naturales, y extranjeros del país en que residen, quedando en todo lo demás, sujetos a las leyes de los respectivos Estados. Los archivos y papeles de los consulados serán respetados inviolablemente, y bajo ningún pretexto les ocupara magistrado alguno, ni tendrá en ellos ninguna intervención.

ART. 31.

Los dichos Consuls tendrán poder de requerir la asistencia de las autoridades locales, para la prisión, detención, y custodia de los desertores de buques públicos y particulares de su país, y para este objeto se dirigirán a los Tribunales, Jueces, y oficiales competentes, y pedirán los dichos desertores por escrito, probando por una presentación de los registros de la vessel's or ship's roll, o other public documents, that those men were part of the said crew; and on this demand, so proved, (saving, however, where the contrary is proved,) the delivery shall not be refused. Such deserters, when arrested, shall be put at the disposal of the said Consuls, and may be put in the prison at the request, and expense of those who reclaim them, to be sent to the ships to which they belonged, or to others of the same nation. But if they be not sent back within two months, to be set at liberty, and shall be no more arrested for the same cause.

ART. 32.

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit, to form a Consular Convention, which shall declare specially the powers and immunities of the Consuls and Vice Consuls of the respective parties.

ART. 33.

The United States of America & the Federation of the Centre of America, desired to make as durable as circumstances will permit, the relations which are to be established between the two parties by virtue of this Treaty, or general convention of Peace, Amity, Commerce, and Navigation, and in all those parts which relate to peace and friendship, it shall be permanently and solemnly declared, and do agree to the following points:

1. El presente tratado permanecerá en su fuerza y vigor por el término de doce años contados desde el día del change de las ratificaciones, en todos los puntos concernientes a comercio y navegación, y en todos los demás puntos que se refieren a paz y amistad, será permanente, y perpetuamente obligatorio para ambas potencias.

2. Si alguno o algunos de los Ciudadanos de una parte infringieren alguno de los artículos contenidos en el presente tratado, dichos ciudadanos serán personalmente responsables, sin que por esto se interrumpa la harmonia y buena correspondencia entre las dos Naciones, comprometiéndose cada una a no proteger de modo alguno al ofensor, o a cualquier semejante violación.

3. Si lo que a la verdad no puede esperarse desgraciadamente, alguno de los artículos contenidos en el presente tratado, fuese en alguna otra manera violado, o infringido, es estipula, expresamente que ninguna de los dos partes contratantes, ordena, o autoriza ningunos actos de represalia, ni declarará la guerra contra la otra por queja de injurias o daños, hasta que la parte que se crea ofendida haya antes presentado a la otra una exposición de aquellas injurias o danos, verificadas con pruebas y testimonios competentes, exigiendo justicia y satisacción.

4. Nada de quanto se contiene en el presente tratado se constituirá sin embargo, ni obrara, en contra de otros tratados públicos anteriores, y existentes con otros soberanos o Estados.

El presente tratado de paz, amistad, comercio, y navegación, sera ratificado por el Gobierno de la Federación de Centro America, y por el Presidente de los Estados Unidos de America, con consejo y consentimiento del Senado de los mismos; y las ratificaciones serán cambiadas en la Ciudad de Guatemala dentro de ocho meses contados desde este dia, o sooner si fuese posible.

I. Fifth Article, we, the Plen

LEXINGTON, NOVEMBER 21, 1826.

The Louisville Public Advertiser of the 18th instant, says that Ebenezer Christopher died in Louisville on the 14th, of wounds received of Randall W. Smith, at the time he shot and killed Dr. Brown Smith, it's said, has been apprehended near St Louis. Mr Christopher was a worthy man, and father-in-law of Smith.

Since the above was in type, we received the first number of a new paper entitled the *Focus of Politics*, edited by William W. Worster, Esq. in Louisville on Wednesday last, which states, that Randall W. Smith, who killed Dr Brown, and his own father-in-law, by a single shot, was arrested in Missouri, and arrived in Louisville on Monday evening last. It will be recollect that Dr Brown lived but a short time after he received his wound, but that Mr Christopher lived several weeks, and suffered an amputation of his limb before he died.

The Cincinnati Gazette of the 17th inst. says, the rise in the river has been such that steam boats navigate it with security from Louisville up to Pittsburgh.

By an extract of a letter from a gentleman in Nashville to another in Georgetown Ky. dated the 16th inst. we learn that the NASHVILLE BANK has stopped payment. "This will be a death blow to some people," says the writer, "for there is more of her paper in circulation, by half, than any other bank in the state. It is thought by many that she will never recover from this second failure." —*Sentinel.*

NOTES ON KENTUCKY; SECTION 14.

The Blue Licks, remarkable for the sanguinary battle fought in its vicinity, is situated about 40 miles from Lexington, and about 35 from Bryan's Station. The Licking river at this place is about 300 feet wide, at common water, and forms a semi-ellipse, which embraces on its N. E. side, towards Limestone, a great ridge of rocks which had been made bare by the stamping of buffalo and other game, drawn together from time immemorial, to drink the water and lick the clay.—Two deep ravines, heading in this ridge near each other, and extending in opposite directions, formed the longest diameter of this ellipse. This ridge had very little timber on it, and what it had was very indifferent, and exhibited a dreary appearance; but the ravines were furnished not only plentifully with timber, but with thick brushwood also.

Shortly after the Indians left Bryan's Station, the men at Lexington, Harrodsburg, and Boonsborough, assembled at that place, to the number of 160, and determined to pursue them immediately—and on the 18th of August, Col. John Todd of Lexington, and Colonel Stephen Trigg, took the command. These men, well armed and accoutred, were skillful marksmen, and animated with an ardent desire to chastise the insolence of these savage invaders of their settlements.—Col. Boone encouraged the expedition by his presence. This force was very small, compared with the number of the enemy; but so eager were they in the pursuit, that they could not be prevailed on to await the arrival of Col. Logan, who was known to be collecting all the force at his station to join them.

It requires no strong effort of the imagination, to pourtray the affecting scene produced by the departure of these brave men. The forebodings of the mother—the misgivings of the wife—the sighs of the parent—the solicitude and tears of conjugal affection, strongly marked the feelings of almost every individual.

Every preparation having been made, the army commenced their march on the route the Indians had taken, but had not proceeded more than nine or ten miles, before the lynx-eyed Boone discovered certain signs on their route indicating a willingness on the part of the Indians, that they should be pursued, which was plainly evinced by their leaving a plain trail. Notwithstanding, they evidently used every means in their power, to conceal their number, for which purpose they marched in single file, treading in each others footsteps.

After a very fatiguing march, this gallant band reached the South bank of Licking river, at the lower Blue Licks, without having seen a single Indian. On the arrival of the front of the party at the river, they discovered Indians on the ridge on the opposite side, who without manifesting any symptoms of fear, retired leisurely over the hills out of their sight. Upon this discovery, a halt was ordered, and a council of the principal officers held, in order to determine the most prudent course to be pursued. In this critical moment, the age and great experience of Col. Daniel Boone in Indian warfare, insensibly attracted the attention of every one present, to solicit his advice at this perilous moment, to obtain which, Col. Todd addressed Col. Boone as follows:

"Skilled in Indian warfare, and familiar with the ground in the vicinity of this place, we require your opinion on the expediency of attacking the enemy in their present position." To which Col. Boone replied: "I am of opinion, and indeed fully persuaded, that the enemy exceed us in number fully three hundred—that their main body is at no great distance, and that they are lying in ambush. Their position is equal to an host, should we continue our march, and be drawn in between the ravines they occupy.—I therefore advise, that we divide our gallant band—that one half march up the river on this side, and cross over at Elk creek, &c. upon the upper side of the ravine—whilst the other half take a position (to co-operate with them) on another quarter. By this means the great advantage of their position will be changed effectually in our favour. But gentlemen," continued Boone, "whatever may be your ultimate decision, I caution you against crossing the river at any rate, before spurs his horses forward into the river."

The fatigues of McGary was contagious. He was followed in quick succession by the whole party, who crossed the river in great disorder and confusion, whilst the officers were reluctantly borne along in the tumult. After crossing the river, no authority was exercised over any order observed in the line of march, but every man dashed forward, tumultuously pursuing the road over the bare rocks, to the end of the ridge

of hil's, where a forest of oaks, deep ravines with underwood, concealed the enemy from view, who waited in their ambuscade to receive them.

Major Gary led the van of the army, closely followed by Major Harlan, and Capt. Wm. M. Brade, supported by the men on horseback, when Gary, with a chosen part of his tawny host, rushed forth from their covert, and with horrid shrieks and yells, attacked them with great impetuosity. The conflict instantly became hot and sanguinary. The advantageous position occupied by the Indians, enabled them to assail the whole of the whites at the same moment, and from the confused manner in which the approach was made, soon turned their right wing, and a retreat was the inevitable consequence, and that too, under the immediate edge of the tomahawk. Cols. Todd and Trigg, and Maj. Harlan, fell early in the action, whilst many brave officers and men fell near them.

The survivors attempted to gain the river at the ford, some on foot and some on horseback; but the Indians so managed, as to prevent a great part of them, by getting between them and the ford, forcing them into the river below, where it could only be crossed by swimming. As most of the fugitives aimed to gain the ford, the Indians pressed their principal force to that point, where the greatest carnage took place, and where many were tomahawked in the river. It was at this moment that Benjamin Netherland,* whose personal bravery had by some been doubted, not only gave evidence to the contrary, by assuming the office of a commander, called aloud to his flying companions, as they arrived on the South side of the river, to Halt! and fire on the enemy; which order many obeyed, and thereby arrested the pursuit for a few moments, which enabled many who were almost exhausted, to escape from the hatchet suspended over their devoted heads.

Brave or benevolent actions should never be permitted to pass unnoticed by the historian: It is therefore with pleasure this opportunity is embraced to perpetuate the conduct of the gallant Aaron Reynolds. He was a young, active man, in the prime of life, and when the retreat took place, was on horseback; on his way to the ford, he overtook Col. Robert Patterson, who though not an old man, was infirm, having suffered very much from wounds which he had received from the Indians on a former occasion. When Reynolds overtook him, he was entirely exhausted, and the Indians in close pursuit—Reynolds, with a greatness of soul which will forever redound to his honour, dismounted from his horse, and assisted Patterson into the saddle, and risked his own safety on foot. He crossed the river by swimming, some distance below the ford, when he discovered many Indians had also crossed. He had on a pair of buck-skin overalls which became so heavy from the water they had absorbed in crossing the river, that on getting on shore, he sat down to pull them off, and whilst in the act of doing so, three Indians came to him and took him prisoner. At that moment several white men passed in sight, when Reynolds was left in the possession of one of his captors, whilst the other two pursued the white men. One of the moccasons of the Indian with whom Reynolds was left, became untied, and the Indian stooping down to tie it, Reynolds sprang from him, and being an active man, was soon out of danger.

It is supposed that one fourth at least, of the men who fought the battle of the Blue Licks on the 19th day of August, 1782, were commissioned officers. The whole number was 176, out of whom 61 were killed, and 8 taken prisoners. Among the most prominent who fell, were Colonels John Todd, Stephen Trigg, Majors Silas Harlan, Edward Bolger, Captains John Gordon, and Wm. M. Brade, together with Isaac Boone, a son of Col. Daniel Boone, &c. &c. The loss on the part of the Indians, was never rightly ascertained. By some it was said to be 90, but that calculation is very improbable, as the whites stood but a very few minutes before they were compelled to retreat.

Despatches had been sent to Col. Benj. Logan in Lincoln county, during the siege at Bryan's Station, which preceded the battle of the Blue Licks only two days. Col. Logan hastily collected about 300 men and marched for the relief of that place; but before Col. Logan reached Bryan's Station, the Indians had raised the siege and were gone. Col. Logan followed as fast as possible, with the hope of coming up with those who marched from the neighborhood of Lexington, before they overtook the Indians; but met them not far from Bryan's on their return. Logan continued on to the battle ground, with the view at least of burying the dead, if he could not chastise the enemy. Col. Logan was joined by many of the friends of the killed and missing from Lexington and Bryan's Station, and arrived on the fatal ground on the 25th. A solemn silence pervaded the whole party as they approached the field of battle. No sound was uttered but the cry of the gorged vulture hovering over their heads. Those who were drawn by affection to the horrid spectacle, with the hope of saving some relic of hair or garment from a lost brother, father or friend, were denied this favour. The remains of the mangled bodies were so distended by the excessive heat of the weather, or so disfigured by the tomahawk, vultures and wild beasts, that it was impossible to distinguish one individual from another.

The solemn rites of sepulture were performed in a very rude manner. The ground was so rocky, that without spades or shovels, it was with great difficulty a quantity of earth could be collected sufficient to cover the mangled remains of the slain.

* Major Netherland now living in Nicholasville.

Mr. Thomas J. Randolph, executor of Mr. Jefferson, has advertised the valuable estate called Poplar Forest, lying in the counties of Bedford and Campbell, together with about 70 negroes, stock, crop, &c. household and kitchen furniture.—Mr. Randolph's advertisement in the Richmond Enquirer, says—"The attention of the public is earnestly invited to this property. The negroes are believed to be the most valuable for their number ever offered at one time in the state of Virginia. The household furniture, many valuable historical and portrait paintings, busts of marble and plaster of distinguished individuals, one of marble of Thomas Jefferson, by Carracci, with the pedestal and truncated column on which it stands a polygraph or copying instrument used by Thomas Jefferson, for the last twenty-five years; with various other articles curious and useful to men of business and private families,—

The terms of sale will be accommodating and made known previous to the day. The sales will be continued from day to day until completed. These sales being unavoidable, it is a sufficient guarantee to the public, that they will take place at the times and places appointed."

The following article is copied from the Daily Watchman:

Freemasonry.—Mr. D. C. Miller editor of the Republican Advocate, advertises for sale at his office, "The first part of Masonry Unveiled, containing a full exposition of the secrets and ceremonies of that ancient and honorable institution Freemasonry—God said, let there be Light, and there was Light." He further states, that "the remaining part is now in press, and will shortly be published." This is the editor who was so ferociously assaulted, some weeks since, in the western part of the state of New York, by a set of officers and men fell near them.

The last accounts from Lima, received at Guayaquil, [16th of July] quoted flour at \$10 to 1 on board and a further improvement in price was expected.

The Hampshire Gazette says, "we are happy to state that the long continued controversy between Massachusetts and Connecticut, in relation to the boundary line between the two states is settled."

The President has appointed James Lenox Kennedy, of New York, Consul of the United States, for the port of Mazatlan, in Mexico, on the Pacific.

HYDROPHOBIA.

We have received the following communication from Mr. HASCALL, giving a description of this disease, and an account of remedies that have been adopted with success. We lay it before the public, believing that it may be interesting, and perhaps useful as it suggests with much confidence a remedy to prevent the infection communicated by the bite of rabid animals.

Western Herald

Messrs Wickliffe and Jones.—Having observed in one of your late papers, a report of several persons being bitten by a mad dog, and from the frequency of similar circumstances, (both to the human and brute creation,) I am induced from motives of humanity and public benefit, to transmit you the following communication, which if you think proper to lay before the public is at your service.

In the summer, fall and winter, of 1801-2, being then a student at medicine in the State of New-York, I had an extensive opportunity of witnessing the effects of the bites of dogs and other rabid animals, both to the human and brute species, as well as the method of treatment adopted with both.—During the latter part of the summer 1801, from some cause never fully developed, a large number of horses, cattle, dogs, swine and other domestic animals, were almost simultaneously affected with hydrophobia or canine madness, in a space of 15 or 20 miles along the main road through a very compactly settled section of the country. These I believe were all either destroyed or died in a manner which even in brutes is shocking, when proceeding from that cause. The calamity thus commenced, continued in succession for several months, during which time not less than seven or eight persons (mostly men,) and probably more than one hundred domestic animals, were bitten by dogs and other canines, uncontestedly rabid. A variety of treatment was adopted with the brutes, and with the human subject, one uniform and invariably successful course was pursued. The wound was thoroughly cleansed with soap and water, and the lacerated parts (if any) removed, the actual cautery (or red hot iron) was applied and introduced quite down to the bottom of the wound, which was then dressed with an emplaster, composed of finely powdered sulphate of copper, (usually called verdigris) resin and olive, which was continued until the wound was entirely healed; and no further inconvenience, to my knowledge, ever occurred to any one of the number. With the brutes a more simple course was found to be efficacious; the wound being thoroughly cleansed by washing, a quantity of fine common salt and good vinegar (vinous acid) was introduced, and the application repeated until the wound healed, when no further attention was necessary. The utility of this simple treatment was tested by its operation upon a part of the brutes bitten by one and the same dog, and nearly at the same time; those which were neglected dying with madness, while the others invariably escaped. It often happens that doubts are entertained of the rabidness of the animal biting, and most unfortunate occurrences have often happened from ignorance on this subject. To determine this point, if practicable, let the suspicious dog be killed, and rub a piece of fresh meat upon his teeth, and if another dog will then refuse the meat, there need be no further doubt upon the subject; nor will a dog not rabid contend with one that is, but usually fly from him. On examination, likewise, it will be found, if the dog was actually rabid, that the veins under the tongue is very much distended, and filled with a black grumous fluid. It seldom happens that the hydrophobia occurs, either in man or beast, until the wound occasioning it is entirely healed, as the virus is seldom absorbed while a free discharge continues; and no internal remedies are required if the wound is judiciously treated with topical applications before any absorption takes place; but prudence will always urge the earliest possible attention. It is from the cause above stated, that slight wounds produce disease more speedily than violent and considerable lacerations.—The efficacy of the sulphate of copper in neutralising or destroying the canine virus is fully evinced both by theory and experiment. An English gentleman of unquestionable veracity, who had held a military commission in the British East India service for twenty years, and now a naturalized citizen of the United States fills a judicial station under the General Government in West Florida informed me that while commanding a company of Scaplays near Bon Bay, six of his company were bitten by one dog. There being neither then or now any settled mode of practice to govern the treatment either in Europe or the East, the Surgeon (an Englishman) pursued five different methods, or rather experiments, with the same number of patients, and lost them all from madness. The sixth who had been bitten in the hand could not

be induced to submit to the direction of the surgeon, but confined a piece of rusty copper coin to the wound and continued it until it was healed, and no further ill consequences ensued.

The slaver of an animal but the canine species will communicate contagion; hence the bite of a rabid horse or swine produces no other effect than a wound of equal magnitude from any other cause.

The first appearance of hydrophobia in human subjects, is evinced by anguish, pain in the head and inflammation of the eyes, attended with a discharge therefrom of an acrid transparent fluid, followed in succession by a high degree of nervous irritation, intermitting startings, delirium, violent convulsive paroxysms, more or less frequent, attended with a strong propensity to bite whatever may come within reach. Death usually succeeds in a period of from two to six days from the first appearance of disease. In the brute species, the commencement and progress is very similar as far as demonstrable. The period of accession from the time of the bite is extremely variant, depending materially upon the magnitude of the wound, or rather the time of its healing or ceasing to discharge. On an examination of all rabid animals, from the first appearance of symptoms until after death, the veins directly under the tongue will be found very much enlarged, and on puncturing them a considerable quantity of grumous matter of very dark tincture will discharge. If on the first appearance of disease, this matter is discharged, the vessels destroyed by the actual cautery, and the mouth frequently cleansed by a weak tincture of sulphate of copper in vinous acid, a very great proportion of docile or governable animals, such as sheep, calves &c. may be preserved; and I have no doubt that with the human subject the same course, particularly if accompanied by proper evacuations, and a copious exhibition of that class of medicine usually denominated antispasmodics, would be equally efficacious. The effects of water on rabid animals, and several other circumstances mentioned by Boerhaave and other European writers, seldom or never occur in this country.

D. A. HASCALL.

We stated some time ago, that the types, and other materials, belonging to Mr. McKenzie, the editor of the Colonial Advocate, at York, Upper Canada, had been wantonly destroyed. We find by the late papers from Upper Canada, that a suit brought by Mr. McKenzie against the offenders, had been tried, and a verdict of two thousand five hundred dollars obtained for the plaintiff.

[N. Y. Spectator]

We learn from the Baltimore Patriot that Capt. Alexander Claxton has been appointed to the command of the U. S. sloop of war Hornet, and will sail with all possible despatch with our Minister Mr. Sergeant, to the Congress near the city of Mexico, who will there be joined it is understood, by Mr. Poinsett. We further learn that Capt. Charles G. Riddley is appointed to the command of our West India naval station, and will bring passage in the Hornet for that post.

MARRIAGES.

In the city of New York, the 6th inst. *Edwin U. Shaw*, Esq. merchant of Lexington Ky. to *Miss Maria M. Coster*, daughter of John G. Coster, Esq.

In this town on Wednesday evening last, *Harry I. Bodley*, Esq. to *Miss Sarah Bledsoe*, daughter of Judge Bledsoe.

In this place on the 16th inst. *Mr Thomas Hickman*, to *Miss Siryoc*.

In Franklin county, the 14th inst. *Mr Wm. M. Tompkins* of Versailles, to *Miss Mary Blain*, daughter of the late Maj. James Blain.

On Thursday evening the 16th inst. by the Rev'd. Francis Palmer, Mr. William Berry of this town to *Miss Martha T. Hendon* of Fayette county.

In Lincoln jail, N. C. on the 5th ult. *Alfred Martin*, aged 24 years, to *Catharine Baumgarner*, aged 18, after a courtship of half an hour through the grates of the prison !!

ASTRONOMICAL LECTURES.

Masonic Hall.

M R GOODACRE'S THIRD LECTURE, on day and night, the seasons, climates &c. exemplified on

THE HORIZONTAL TELEGRAPH,

The Climate Instrument,

AND BY AUXILIARY DIAGRAMS,

Will be delivered on To-Morrow Evening, 25th inst.

at 7 o'clock.

TERMS OF THE EIGHT LECTURES.

To the whole course—Ladies and Gentlemen, five Dollars;

Children under 12 years of age, three Dollars.

Tickets transferable.

TO EACH LECTURE.—Ladies and Gentlemen, one Dollar; Children half price.

Tickets are on sale, and syllabuses of the course may be had gratis at the bookstores, at Mr. Bremer's and at the Lecturer's private apartment in Mill-street, the second door above the entrance to Porter's Inn, where he will be happy to see his friends any day from one to three o'clock.

ON EVENINGS OF LECTURING.—Mondays, Thursdays, and Saturdays. The course will not be repeated in Lexington.

November 17, 1826.—47

LAW NOTICE.

LESLIE COMBS,

INTENDS keeping an AUCTION AND COMMISSION STORE in FRANKFORT, during the session of the Legislature. He will be grateful for communications thereto, or at his store in Lexington, where he will continue business, and will have a sale every Friday evening and Saturday morning.

November 24.—47-3

IN THE COURTHOUSE, LEXINGTON, KENTUCKY.

And has taken the large and commodious Brick House on Main-street, belonging to the United States Bank, nearly opposite his late Exchange Office, where he respectfully solicits Consignments.

He presumes his general knowledge of business will enable him to give satisfactory returns to all who may favor him with Consignments and pledges himself, if assiduous attention, prompt obedience and implicit observance of

POETRY.

FOR THE GAZETTE.
WINTER IS COMING ON.

Winter is coming on,
The flowers will disappear;
The snow will lay upon,
The Earth of verdure bare.

The Birds by us below'd,
Will very soon retire;
The screen will be remov'd
And high will blaze the fire.

The Icicles will hang,
Beside the outer wall;
The Beast will shiv'ring stand,
Within his narrow stall.

The youth upon his feet,
Binds fast a pair of skates;
How pleasantly and fleet,
He slides o'er frozen lakes.

The piercing, north wind blows,
The trav'lers face turns blue;
The chilly creature knows,
Not what he is to do.

The truant school-boy lingers,—
Altho' in mischief bold;
The woodman blows his fingers
So piercing is the cold.

OSCAR.

FOR THE GAZETTE.

FAREWELL TO KENTUCKY.
Farewell to Kentucky, dear land of my birth,
A lovelier land is not upon earth;
My pam mixed with pleasure, I yet may explore,
A land which perhaps I may visit no more.

Its beauties, attractions, are many and great,
A flourishing, fertile, agreeable state;
The climate is healthy, the fountains are clear,
The men are all brave, the ladies all fair.

The friends of my childhood and youth are all here;
And the parent who foster'd me ever with care;
From friends and relations too soon I must part,
And dearer than all the chance of my heart.

But grieved and complaining I know is in vain,
I may or may not behold them again;
But if I should not, the needle will set,
Its point to the west ere friends I forget.

Farewell then Kentucky, dear land of my birth,
Thy very defects seem objects of worth;
Wherever thro' life I am destined to roam,
I'll ever consider Kentucky my home.

NYMPH AND ZEPHYR.

NYMPH.
Whence comest thou Zephyr! son of Aurora!

ZEPHYR.
From the gardens of fragrance and beauty I come,
Where the rose's silk cup is my favorite home;
I have been to the queen of the morn—at her call,
I have borne her new sweets to her star-column'd hall;

I have shaken the leaves of the brown forest boughs,
And the songsters have risen to warble their vows,
I have pressed on the grass where the green blade
glows high,

And the lark is now hymning her melody.

I have been to the chamber of beauty, and there,
I have played with her ringlets of radiant hair,
I have wreathed her white breasts which the white
snow eclipses,

I have sipped the rich dew from her odious lips;
I have carried the plaint of a love trammell'd strain
And the lady blushed deep at the murmur of pain,
'Twas the same truant sigh which but yester eve fell;

It had kissed her white hand—it had bade her fare-well.

I have been to the mansion of death—and from
thence

I have a wing'd the freed soul of omnipotence;
'Twas an innocent—beautiful babe, and the sigh
Of the mother was heard in the cloud paths on high;

Half mingled with prayer to the seraphim given,

Who wept as they welcome'd the stranger to Heaven.

To the green seas I go—where the gondola rides,
Like a nymph of the deep o'er the languishing tides;

While the waves one by one into slumber fast fall,

And there is not a breath save from the lips which
me call:—

'Tis the music of voices I hear swells the dome,
Loud the song is for Zephyr—I come—I come—

To your sun lighted shores—to your bright seas
away.

There is loneliness waiting, I dare not delay:

I have flower-loves to meet—I have vows to renew,

I salute your fair fingers—adieu, Nymph! adieu!

FROM THE NORWICH COURIER,

On hearing one say, he would not ask forgiveness,
I would not meanly condescend

To ask the pardon caprice gives,

Nor prize the favor of a friend

Who on my humble homage lives.

But if from carelessness or art,
I'd made a gentle spirit grieve,

It would not wound my guilty heart

To bate that little word "forgive."

Forgiveness! 'tis the sacred stream,

That murmurs through the injured breast,

Where lingers love's retiring beam,

That sooths contending thoughts to rest.

Forgiveness! 'tis the sweetest air

That trembles on the lyre of Heaven,

For all who swell the psalm there,

Can sing of sins and faults forgiven.

The following article, copied from a Virginia paper, does not evince to us that Kentucky is very far ahead of her sister states, in the horrid crime of MURDER; as savage as some of our neighbours and eastern friends would wish the rest of the Union and the world generally to think us.

ANO' HER HORRID MURDER.
Extract of a letter from a gentleman in Tennessee, to his friend in Alexandria dated

Sister Oct. 16, 1826.
On Monday last, Col. Perry the clerk of Sevier County, was most barbarously butchered in his bed. The following are the circumstances of the case as nearly as I have been able to ascertain them.

About two o'clock A. M. the perpetrator of the bloody deed, having passed thro' two outer doors, entered the chamber where Col. P. and his wife were sleeping, and with the edge of a small axe, or large tomahawk, struck him on the head with such violence that it penetrated the skull into the brain, which afterwards oozed through the wound.

Mrs. Perry being awakened by the blow, or some noise in the room, saw a man go out, who she believes, judging from the indistinct view she had of him, had his sleeves rolled up. Placing her hand on her husband, she found that his face was covered with blood. Some minutes elapsed before he recovered from the effects of the blow so as to be able to speak.

He lived, however, until the afternoon of the

succeeding Friday; and in the mean time when not suffering under severe convulsions, with which he was frequently seized, was rational, and capable of conversing intelligibly.

Col. Perry who was in the prime of life, had been a representative in the senate of the Tennessee legislature, and was a gentleman of the highest respectability.

Besides a mourning widow, he left behind him a family of five or six children to deplore his premature loss.

A certain John Nichols, formerly of Va., has been apprehended on suspicion of being the murderer.

It was proven before the magistrate by whom Nichols was committed, that he had repeatedly, at sundry times and places, declared a determination to kill Col. P. in consequence of the latter having charged him with clandestinely dealing with his slaves."

The following paragraph is copied from the same letter:

"One day last week a man was shot in Knox county, while ploughing in his field, by some ruffian who was lying in ambush for the purpose. The ball having broken the arm of the intended victim lodged in his body, but hopes of his recovery are entertained."

Wilful Murder.—We have been informed that on Saturday, the 14th inst, at Goodwin's Church in the county of Buckingham, an altercation took place between a man by the name of Staten and another individual, in the course of which, a third person a Mr. Banton, undertook to make peace between them. This turned the anger of Staten from the individual with whom he was first quarrelling, to Banton, and, saying that no person should interfere drew a dirk, immediately stabbed and killed him. The verdict of the jury was wilful murder. Staten has made his escape.—*Lynch, Virginian.*

Later Yet!!!

The subscriber has recently returned from the Eastward, and is opening a large and splendid assortment of

FALL AND WINTER GOODS,

Consisting in part of the following Articles:

Blue and black velvet LOTHES

Regtts, Electoral and Saxon Cloths

Double milled Drab, superior quality do

Ladies' habit and pelisse do

Blue, black and fancy double milled CASSIMERES

Superior CASSIMERES, ass'ted colours

9 4 10 4 11 4 and 12 4 Rose Blankets

3 3 1 2 4 and 4 1 2 Point do

A beautiful assortment of the most fashionable Calicoes and Prints—fast colours

Crimson, White and Fancy color'd Merino Shawls and Scarfs

Cashmere SHAWLS assor'd

Black, Blue and Fancy Norwich Crapes

Black, plain and figured Bimbazettes

Assorted colours do

A superior assortment of blached, brown, checked and plain Domestic Goods

A handsome assortment of plain and figurd Flannels

Scotch and Cireasian PLAIDS—new patterns

Plain black Gros-de-Naples

A handsome assortment of Ombre Shaded SILK

A great variety of black SILK

Figured and plain SATTINS, assor'ted colours

A var'ety of Ombre shaded & spotted Book Muslins

Thread Laces and Inse dions

Bobinet do do

Wide Bobinet Face

Worked and Embroidered Bobinet Veils

Worked Collar, Caps, Caves and Handkerchiefs

A few Case valuable Mathematical Instruments

A splendid assortment of Merino and Cashmere Hts

Crape ROSES—assorted colours

Phon CRAVES do do

White, black and green ITALIAN CRAPES

Children's Fur Hats

Men's do

A splendid assortment of Millinery

French Curls—(newest style)

An excellent assortment of ADDLERY

Superior Linen Carpeting

A handsome assortment of fine grass bleached Irish Lines

Superior 8 4 and 10 4 Damask Table Linen

An elegant assortment of the most fashionable Toilette Shell COMBS

Imitation do

A GENERAL ASSORTMENT OF

HARDWARE AND CUTLERY,

Glass and Queensware—Britannia Tumblers;

A FEW SETS OF ENGLISH CHINA.

A LARGE ASSORTMENT OF ALL DESCRIPTIONS OF

SHOES;

Together with a variety of articles too tedious to enumerate

All which have been selected with my usual care

from the latest arrivals at Philadelphia and New York

at very reduced prices, which will enable me to sell unusually low—in short, I flatter myself I shall be able to make it the interest of purchasers to deal with me.

I therefore unhesitatingly invite those who wish to purchase, to call and examine my assortment.

JOSEPH H. HERVEY.

Lexington, Nov. 1826—43tf

NEW GOODS.

PRITCHART & ROBINSON,

HAVE JUST RECEIVED THEIR STRING GOODS,

Consisting of a very general assortment of

MERCHANDISE.

THEY invite their friends to give them a call, and

pledge themselves to sell on good terms as any in Lexington.

May 2d, 1826—18tf

DOCTOR SHORT,

HAVING taken up his permanent resi-

dence in Lexington, offers his profes-

siional services to the inhabitants of the tow-

and its neighbourhood.

His residence and Shop are on Mill-street, near Mr.

Charlee Wilkins's October 27. 1826—43tf

OVERSTOCK WANTED.

I WANT to employ one or two men to take the man-

agement of a farm. Annual wages on a part of the crop will be given on immediate application to

Oct. 30. 1826—44-3t

GREEN CLAY

THE DRAWING

Will be divided into six days, 200 numbers and a cor-

responding number of prizes on the *five first* days on

the fifth and last the balance of prizes will be drawn.

The 5 prizes of 400 dollars will be given to the

last drawn numbers on each of the 5 first day's

drawings. The Highest Prize will be deposited on

the opening of the wheels on the sixth day, all other

prizes will be floating from the commencement